IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

ATALAYA SPECIAL OPPORTUNITIES FUND VII LP and MIDTOWN MADISON MANAGEMENT LLC,

Plaintiffs,

v.

JIMMY ERIC WHITED,

Defendant.

NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)

Case No. 1:20-cv-03302

NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)

Pursuant to F.R.C.P. 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, plaintiffs, Atalaya Special Opportunities Fund VII LP and Midtown Madison Management LLC, hereby give notice that the above-captioned action is voluntarily dismissed without prejudice.

Date: June 26, 2020

/s/

Adam B. Oppenheim Yonaton Aronoff HARRIS ST. LAURENT LLP 40 Wall Street, 53rd Floor New York, NY 10005 (212) 397-3370

Attorneys for Plaintiffs Atalaya Special Opportunities Fund VII LP and Midtown Madison Management LLC